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**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

American Civil Liberties Union of San  
Diego and Imperial Counties, American  
Civil Liberties Union of Southern  
California, Anne Lai and Sameer Ashar,  
Plaintiffs,

v.

United States Department of Homeland  
Security, United States Customs and  
Border Protection,  
Defendants.

Case No.: 8:15-cv-00229-JLS-RNB

**Joint Status Report**

**Judge: Hon. Josephine L. Staton  
Courtroom: 10A**

1 On August 26, 2016, Defendants moved for summary judgment in the above-  
2 captioned matter. ECF No. 38. On October 14, 2016, Plaintiffs opposed Defendants'  
3 motion and cross moved for summary judgment. ECF No. 50. Hearings on the  
4 motions were held on January 27 and August 18, 2017, *see* ECF Nos. 72, 89, and  
5 final judgment entered on May 11, 2018. ECF No. 101. The deadline for Defendants  
6 to appeal was July 10, 2018. Defendants did not file a notice of appeal.

7 On April 30, 2018, Plaintiffs filed an unopposed motion for extension of time  
8 to move for attorneys' fees. ECF No. 98. The Court granted this motion on May 1,  
9 2018 and directed Plaintiffs to file any motion for attorneys' fees no later than twenty-  
10 one days after Defendants' deadline to file a notice of appeal, i.e., on or before July  
11 31, 2018. ECF No. 99.

12 Subsequently, the parties initiated conversations regarding a possible  
13 settlement of attorneys' fees and costs; Plaintiffs provided Defendants with initial  
14 correspondence on July 18, 2018. *See* ECF No. 102-1, ¶¶ 6-8. On July 24, 2018,  
15 Plaintiffs filed an unopposed motion to continue the deadline to move for attorneys'  
16 fees, to permit the parties an opportunity to pursue a potential settlement. ECF No.  
17 102.

18 On July 31, the Court granted this motion. ECF No. 103. In its order, the Court  
19 directed the parties to either file a joint report on the status of settlement negotiations  
20 and a new proposed motion filing deadline, if necessary, or, if negotiations had  
21 concluded unsuccessfully, directed Plaintiffs to file a motion for attorneys' fees and  
22 costs on or before Friday, September 14, 2018.

23 On July 27, 2018, Defendants responded to Plaintiffs' initial correspondence  
24 with a request for additional information. Plaintiffs provided a written response on  
25 August 10, 2018. Defendants provided further correspondence on August 30, 2018.  
26 Counsel for the parties conferred telephonically on September 4, 2018 and agreed  
27 that a potential settlement remained possible. Accordingly, the parties have conferred  
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1 and reached agreement on a general schedule for conducting further settlement  
2 negotiations in this matter and respectfully ask the Court to extend the deadline by  
3 which any motion for attorney's fees and costs must be filed, so as to permit those  
4 negotiations to continue. Specifically, the parties request that on or before October  
5 31, 2018, they file a joint status report indicating that a settlement agreement has  
6 been or is likely to be reached. In the event that an agreement cannot be reached,  
7 Plaintiffs shall file a motion for attorney's fees and costs on or before that date.

8 Pursuant to L.R. 5-4.3.4(a)(2)(i), I, Mitra Ebadolahi, attest that all other  
9 signatories listed, and on whose behalf this filing is submitted, concur in the filing's  
10 content and have authorized the filing.

11  
12 DATED: September 12, 2018

Respectfully submitted,

13 ACLU FOUNDATION OF SAN DIEGO &  
14 IMPERIAL COUNTIES

15 **By /s/ Mitra Ebadolahi**

16 Senior Staff Attorney  
17 Border Litigation Project  
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